

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
ST95050-US/A

Total Pages in this Submission

65

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

ANTAGONISTS OF THE ONCOGENIC ACTIVITY OF THE PROTEIN MDM2, AND USE THEREOF IN THE TREATMENT OF CANCERS

and invented by:

Bruno TOCQUE, Bohdan WASYLYK and Marie-Christine DUBS-POTERSZMAN

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/029,327

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 44 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☒ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal Number of Sheets 5
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☒ Application Data Sheet (See 37 CFR 1.76)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Certificate of Mailing
- ☐ First Class ☐ Express Mail *(Specify Label No.):* _____

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Accompanying Application Parts (Continued)

17. ☒ Additional Enclosures *(please identify below)*:

(1) Copy of Submission of Appointment of Associate Power of Attorney
(2) Sequence Listing CRF and Statement Verifying CRF filed in parent

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	10	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$770.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-1129** as described below.
- ☒ Charge the amount of **\$770.00** as filing fee.
 - ☒ Credit any overpayment.
 - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: December 1, 2003


Signature
David J. Kulik, Registration No. 36,576
Wiley, Rein & Fielding LLP
Attn: Patent Administration
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Wiley Rein & Fielding LLP

December 1, 2003

David J. Kulik
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VIA HAND DELIVERY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: New Divisional Application based upon 09/029,327
Inventor: TOQUE *et al.*
Title: "Antagonists of the Oncogenic Activity of the Protein MDM2..."
Attorney Docket: ST95050-US/A

Dear Sir:

Please accord the enclosed application a filing date and serial number. Applicants hereby claim priority to prior U.S. application 09/029,327, (filed March 23, 1998), which is the U.S. National Stage of PCT/FR96/01340, each of which are specifically incorporated into this application by reference. The corrected Sequence Listing filed with the U.S. National Stage application on March 23, 1998, has been incorporated into this specification along with the new claims.

Please amend the specification by adding the following paragraph after the title:

This application is a divisional of 09/029,327, filed March 23, 1998, which claims the benefit of priority to PCT/FR96/01340.

The following are attached:

- 1) Utility Application Transmittal Form (4 pages) and fee by Deposit Account;
- 2) Application Data Sheet (3 pages);
- 3) Copy of original specification (with Corrected Sequence Listing)
Specification (pages 1-43 and Abstract),
5 Sheets of Formal Drawing, including Figs. 1-5;
- 4) Executed Declaration from parent 09/029,327

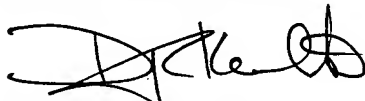
Wiley Rein & Fielding LLP

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New Utility Application
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- 5) Power of Attorney from parent 09/029,327
- 6) Postage-paid return receipt postcard for advance notification of application number.

Applicants have filed on even date an extension of time request and fee in parent application 09/029,327, extending the period of response up to and including December 1, 2003 (the next business day after November 30, 2003). If any additional fees, requests or petitions are required to maintain the pendency of the parent application, or if the extension of time request filed in the parent application is not received at the U.S. Patent Office, Applicants hereby request any extension or petition be granted and the undersigned hereby authorizes that any fees be charged to Deposit Account No. 50-1129.

Respectfully submitted,



David J. Kulik, Esq.
Reg. No. 36,576

Enclosures